# IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 168 OF 2006

IN

FIRST APPEAL NO. 162 OF 2006

M/S GOA GOLF CLUB PVT.LTD.THROUGH MR. SRINIVAS NAYAK, TALEIGAO GOA. ....Applicant

Versus

M/S FOMENTO RESORTS AND HOTELS LTD. AND ANR., ....Respondents

Mr. S.G. Dessai, Sr. Advocate with Mr. M.S. Sonak, Advocate for the Applicant.
Mr. M.S. Usgaonkar, Sr. Advocate with Mr. Sudesh Usgaonkar, Advocate for the Respondents.

Coram:- SMT. RANJANA DESAI &
N. A. BRITTO, JJ.

Date:- 10th July, 2006

P.C.:

Heard learned counsel for the parties.

We notice that under the interim order dated 23.06.2005, the appellants were directed to deposit an amount of Rs.10,00,000/- in the trial Court. The appellants have accordingly deposited Rs.10,00,000/- in the trial Court. Over and above, the appellants have also deposited Rs.11,60,894. In the circumstances of the case, the interim relief granted by the trial Court by its Order dated 31.07.04 and modified by this Court by order dated 23.06.05 shall continue to operate during the pendency of the appeal on the appellants depositing an amount of Rs.2,00,000/- per month in this Court from July, 2006. We direct the trial Court to invest the total amount of Rs.21,60,894.00 which is deposited by the appellants in pursuance of

this Court's order dated 23.06.05 in any nationalised Bank on the usual terms. The money deposited in this Court pursuant to our order is also directed to be invested in any nationalised Bank on the usual terms.

SMT. RANJANA DESAI, J.

N. A. BRITTO, J.

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